Over-Detention and Inadvertent Releases

524.1 PURPOSE AND SCOPE

This policy is intended to provide guidance to staff and management to prevent and address over-detention or inadvertent release.

524.1.1 DEFINITIONS

Definitions related to this policy include:

Inadvertent release - Any instance of an inmate being mistakenly released.

Over-detention - Any instance of an inmate being mistakenly detained beyond his/her scheduled release date.

524.2 POLICY

It is the policy of this office to reasonably ensure that over-detention and inadvertent releases do not occur.

524.3 OVER-DETENTION

Any custody staff member who discovers or receives information of an over-detention, or a complaint from an inmate regarding over-detention (which could be discovered through a grievance), should immediately notify the Shift Supervisor (see the Inmate Grievances Policy).

The Shift Supervisor should check the inmates file immediately and conduct an investigation to determine the correct release date of the inmate and document the incident in a written report.

Inmates who are found to be over-detained shall be processed for immediate release in accordance with the End of Term Release Policy. The Shift Supervisor shall ensure that the Chief Deputy of Corrections is notified, an entry is made to the daily activity log.

524.4 INADVERTENT RELEASE

Whenever an inadvertent release is discovered, the custody staff member making the discovery shall immediately notify the Shift Supervisor. The notification shall be documented in the daily activity log.

524.4.1 INADVERTENT RELEASE INVESTIGATION

The Shift Supervisor will conduct an investigation to determine the cause of the inadvertent release.

The Shift Supervisor will coordinate a response based upon the seriousness of the threat the inmate may pose to the community. The threat assessment should be based upon the inmate’s criminal history and the reason he/she is currently in custody, among other factors.

In the case of an inadvertent release, the Shift Supervisor should immediately notify the Chief Deputy of Corrections and ensure a report is completed. The Chief Deputy of Corrections should notify the Sheriff.

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An appropriate evaluation of the circumstances shall be made to determine whether the inadvertent release should be classified as an escape.

524.4.2 RETURNING THE INMATE TO CUSTODY

When the inmate is located and returned to the facility, the appropriate notifications should be made as soon as possible.

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